

EXHIBIT B

JEFFREY ALONZO SIMMS

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1 swelling would continue to erupt as I use my knees
2 and that I would need some type of an advanced
3 treatment to eliminate the situation. And once
4 given this knowledge from Dr. Freedman and
5 discussing this with Dr. Burns, it was conflicting
6 information because they went into a discussion
7 about the cost and things of that nature other than
8 discussing what type of relief in the emergency
9 treatment that I may need for the intense pain.

10 And I explained to Dr. Burns that
11 because of security, you know, when they show little
12 or no response of helping me as far as a bottom
13 bunk, anything that she may write down or say to me
14 to alleviate these problems through Dr. Freedman
15 as a specialist through the chain of command for
16 these problems. You know what I mean? Security
17 would blatantly, you know what I mean?

18 Q What do you believe Dr. Freedman's
19 responsibility was regarding your care?

20 A I think his responsibility was the same
21 information that he gave me he could have gave to
22 Dr. Burns.

23 Q And what information do you allege was
24 not given to Dr. Burns?

25 A Of the intense pain that I'm enduring

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1 because of the continued swelling of my knees and
2 the fluid on my knees.

3 Q Okay. I have your medical records from
4 Dr. Freedman and I'm going to have this marked.
5 This is the medical record written by Dr. Harry
6 Freedman on August 5, 2004, and, Mr. Simms, I will
7 read part of this impressions plan for you: I do
8 not feel that he is a candidate for a total knee
9 replacement. Is that the surgery that you believe
10 Dr. Freedman wanted you to have?

11 A The surgery that he wanted me to have and
12 that he discussed with me was, for the most part, he
13 was offering me some assistance with the pain, you
14 know what I mean? And that medication alone, maybe
15 for the most part, basically was a short remedy
16 for the pain. But for the long run, it would need
17 some type of surgery done to my knees, and he
18 advised me that crutches and knee braces and things
19 of that nature may offer some type of a relief.

20 Q Is that advice correct advice?

21 A That's the advice that he gave me in his
22 office.

23 Q Yes. And is that advice correct advice?

24 A From him, after explaining to him my
25 problems and that I mean I had tried my own remedies

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1 because, you know what I mean, I'm in pain, you know
2 what I mean, and I'm still in pain. I still have a
3 great deal of pain with my knees.

4 Q And what you have written in your
5 complaint is on 8/24/04, denied emergency treatment?

6 A Yes.

7 Q And surgery as a result?

8 A Yes.

9 Q And then you go into disfigurement?

10 A Yes.

11 Q And you refer to a leg. Which leg are
12 you referring to there?

13 A Right.

14 Q It says main leg. That's your right leg?

15 A Yes.

16 Q Okay. Did Dr. Freedman have anything to
17 do with the Emergency Department treatment on
18 8/24/04.

19 A The information concerning my knees, Dr.
20 Freedman failed to give this information to Dr.
21 Burns and, as a result, you know, the pain lingered
22 on without any treatment.

23 Q And that's Dr. Freedman's only connection
24 to the August 24th complaint date?

25 A And as a result through the chain of